GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:1299
ANSWERED ON:26.11.2002
AMENDMENT IN IPC
RENUKA CHOWDHURY;SUSHIL KUMAR SAMBHAJIRAO SHINDE

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Supreme Court on August 8, 2002 ruled that death sentence should not be awarded unless the accused is proved to be a menace to the society;

(b) if so, whether the Government propose to modify and amend the relevant clauses of Indian Penal Code and the penal law accordingly; and

(c) the steps taken and being taken in that direction?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I. D. SWAMI)

(a): In the case of Ram Anup Singh & Others V. State of Bihar, the Supreme Court in its Judgment dated August 7, 2002 referred to and placed reliance upon a previous judgment and set aside the death sentence on the ground that there was no evidence on record to suggest that the appellants were a menace to the society as evident by their past deeds. It also held that it was not possible to conclude that they are those who cannot be reformed or rehabilitated.

(b): At present, no such proposal is under consideration.

(c): Does not arise.